

REMARKS

By the present amendment, Applicant has cancelled Claims 1-19, and added Claims 20-23. Claims 20-23 remain pending in the present application. Claim 20 is sole independent claim.

Applicant appreciates the courtesies extended to Applicant's representative during the personal interview held June 29, 2005. The present response summarizes the substance of the interview. At the interview a proposed amendment to the claims was presented for discussion. Proposed independent Claim 20 set forth a cartridge for a bullet to be used in a firearm. The cartridge has a body, a neck and a shoulder. The body has a first body outside diameter, a second body outside diameter, the second body outside diameter being at most equal to the first body outside diameter, a body length, and an extraction groove. The neck has a neck outside diameter and a neck length, the outside diameter of the neck is substantially less than the first outside diameter of the body, the neck being adapted to fit a bullet. The shoulder is between the body and the neck. The shoulder is formed at an angle and extends between the body and the neck. Such that the body, the neck and the shoulder are aligned and concentric about an axis extending longitudinally therethrough, and the body, the shoulder, and the neck define total length. Arguments were advanced that this configuration of cartridge provides a muzzle velocity greater than any recorded muzzle velocity described in the prior art of record. The Examiner indicated that the structure of the cartridge defined by the proposed claim does not appear to be patentably distinguishable over the applied prior art of record. Further, the Examiner noted that without any description of a propellant, the cartridge is incapable of yielding any muzzle velocity to the bullet.

Claims 3 and 12-19 were held withdrawn from consideration by the Examiner as being directed to a non-elected invention, drawn to the chamber of a firearm. Accordingly, it is proposed herein that the instant claims be cancelled. However, it should be noted that under the provisions of 35 U.S.C. § 121 Applicant reserves the right to file a divisional application directed to the non-elected subject matter.

In the recent Office Action the Examiner rejected Claims 1, 2, and 4-11 under 35 U.S.C. § 112, second paragraph, as being indefinite. Claims 1, 4, 5, and 8-11 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Alexander et al. in view of RCBS Load Cartridge Designer Utility and The Reload Bench (Pubs.). Claims 2, 6, and 7 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Alexander et al. in view of RCBS Load Cartridge Designer Utility and The Reload Bench (Pubs.), and further in view of Jamison. The cancellation of Claims 1, 2, and 4-11 by the present amendment serves to render these particular grounds of rejection moot.

Applicant will advance arguments hereinbelow to illustrate the manner in which the presently claimed invention is patentably distinguishable from the cited and applied prior art. Reconsideration of the present application is respectfully requested.

The instantly claimed embodiments set forth a cartridge having the dimensions of a total length in the range between 0.870 inches and 1.000 inches, the body length in the range between 0.670 inches and 0.800 inches. Also, the body being substantially cylindrical, however the body is configured to have a taper such that the first outside body diameter is about 0.375 inches and the second body outside diameter is about 0.367 inches. In addition, the currently claimed cartridge provides the fired bullet with a muzzle velocity greater than 2,500 fps. Applicant submits that the applied prior art of record fails to disclose these features as now claimed. Further, Applicant respectfully

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submits that the references of Alexander et al., the RCBS pub., the Reload pub., and the Jamison references, alone or in combination, as suggested by the Examiner, fail to obviously provide the unique construction and features of the instantly claimed cartridge.

Applicant has rewritten the claims of this application to more particularly define Applicant's unique construction in view of the prior art of record. Applicant respectfully submits that for at least these reasons, Claims 20-23 are allowable over the prior art applied of record. Reconsideration of the claims in light of the amendments is respectfully requested.

For the foregoing reasons, Applicant respectfully submits that the present application is in condition for allowance. If such is not the case, the Examiner is requested to kindly contact the undersigned in an effort to satisfactorily conclude the prosecution of this application.

Respectfully submitted,



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